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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,

USA SECURITIES, LLC,

Debtors,

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case
No. BK-S-06-10725-LBR

Judge Linda B. Riegler Presiding

**STIPULATION TO ALLOW DR. LUCIUS
BLANCHARD TO RESPOND TO USACM
TRUST'S MOTION FOR SUMMARY
JUDGMENT TO CLASSIFY CLAIM BY
PECOS PROFESSIONAL PARK LIMITED
PARTNERSHIP IN PLAN CLASS A-7**

AND

**STIPULATION TO CONTINUE THE
HEARING ON THAT MOTION TO
DECEMBER 20, 2007**

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
Lewis and Roca LLP, and Dr. Lucius Blanchard ("Blanchard") by and through his
counsel, Ty Kehoe of Kehoe & Associates, file this stipulation with the Court. Dr. Lucius
Blanchard claims to be a 49% limited partner of Pecos Professional Park Limited
Partnership ("Pecos L.P.") and the President of Nevada Skin & Cancer, Lucius Blanchard,
M.D., Chtd., a Nevada corporation which is a 1% general partner of Pecos L.P. Dr.

1 Blanchard has requested an opportunity to file an opposition to the USACM Trust's
2 Motion for Summary Judgment to Classify Claim by Pecos Professional Park Limited
3 Partnership in Plan Class A-7 [DE 5122] (the "Motion"). The parties stipulate as follows:

- 4 1. The USACM Trust filed the Motion on October 29, 2007;
- 5 2. Pecos' response to the Motion was due on November 27, 2007;
- 6 3. Pecos did not respond.
- 7 4. On November 27, 2007, Dr. Blanchard's counsel contacted counsel for the
8 USACM Trust and requested an informal extension to respond to the Motion, which the
9 USACM Trust agreed to subject to Court approval;
- 10 5. The Motion currently is set for hearing on December 14, 2007, at 9:30 a.m.
- 11 6. Dr. Blanchard has requested an opportunity to respond to or otherwise
12 intervene to oppose the Motion.
- 13 7. The USACM Trust is willing to allow Dr. Blanchard until December 4, 2007
14 to file, as he sees fit, an opposition or motion with the Court. By entering into this
15 stipulation the USACM Trust does not concede that Dr. Blanchard has standing to oppose
16 the Motion, nor does it waive any other defense that it might have to whatever motion or
17 opposition Dr. Blanchard may ultimately file.
- 18 8. If Dr. Blanchard files an opposition, then the USACM Trust shall have until
19 December 14, 2007 to file its reply.
- 20 9. In order to facilitate Dr. Blanchard's request, the parties agree to continue
21 the hearing on the Motion to December 20, 2007, at 9:30 a.m.

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RESPECTFULLY SUBMITTED December 3, 2007.

By /s/ RC (#006593)

-and-

By: /s/ TEK (# 6011)

230537.1

Copy of the foregoing served on December 3, 2007, via email where an email address is listed, and if no email address is listed, then by first class mail, postage paid, addressed to:

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By: /s/ Renee Creswell
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